

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

MWK RECRUITING, INC,

Plaintiff,

v.

EVAN P. JOWERS,

Defendant

Case No. 1:18-cv-00444-RP

**DECLARATION OF JENNIFER E. THOMPSON**

1. I am a member in good standing of the State Bar of Texas. I have been licensed to practice law in Texas. I have been licensed to practice law since 1995. I have more than twenty years of experience working as an attorney on litigation and other contentious matters.

2. I have personal knowledge of the facts set forth herein, and if called to testify could and would competently testify thereto.

3. As itemized in the attached listing of time and task entry records, my amount of time spent prosecuting MWK's breach of contract claims, upon which the Court found in favor of MWK, was 88.6 hours. I recorded my time on this matter contemporaneously with the work. During this case, I worked directly under the supervision of Robert Kinney for the Law Offices of Robert E Kinney.

4. Based on my experience, an hourly rate of \$475 per hour is a reasonable rate for the Austin market and the Western District of Texas and for the work I

performed. I believe that my work on the case was reasonable and necessary.

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and accurate and that I have executed this declaration on October 3, 2022.

Jennifer Diane Thompson  
Jennifer Diane Thompson (Oct 3, 2022 16:07 CDT)

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Jennifer E. Thompson

**Jennifer E. Thompson - Time Entries - MWK v. Jowers**

<b>Date</b>	<b>Timekeeper</b>	<b>Description</b>	<b>Hours</b>
2020-02-25	JET	Review major docket entries; familiarize with case facts and statutes applicable to claims.	3.2
2020-02-26	JET	Meet with RK re case background, schedule and strategy; review trial plan and existing research on prior breach doctrine	no charge
2020-03-02	JET	Review caselaw on prior breach; research articles and statutory authority for DTSA, TDSA, restrictive covenant enforceability (FL), usury (FL), tortious interference (FL) and affirmative defenses. Organize Trial Plan, Legal Issues and Caselaw and Research by claim/affirmative defense. Review email correspondence re loans/advances/prospects between REK and Jowers.	4.5
2020-04-07	JET	Review previous discovery requests, responses and Jowers' objections; begin drafting discovery requests for Counsel Unlimited.	1.5
2020-04-08	JET	Continue drafting discovery for Counsel Unlimited (Interrogatories, Requests for Admission and Requests for Production) and Recruiting Partners GP (Interrogatories, Requests for Admission and Requests for Production)	4.3
2020-04-09	JET	Revisions to discovery requests, including re documents from GD, JE and MOFO, discussion with RK re same, draft subpoena request to Cooley.	1.6
2020-04-10	JET	Consider authentication, depo on written questions strategy, document review, and MSjmt strategy; review discovery requests against stipulations and make revisions re same; update discovery regarding placement firms and candidates, commission receipts, firm disclosures, etc.,	4.5
2020-04-13	JET	Update discovery requests to include additional placement candidates and revise requests	0.8
2020-04-24	JET	Review draft response to reply to MWK MTD; consider & outline additional discovery requests in light of response to MTD.	0.4
2020-04-29	JET	Review filed copy of MWK Reply to Jowers' response or MWK 12(c) motion (.3, no charge); draft updates to RFP, RFA and Interrogatories related to Jowers' Response to MKW MTD; updates to Trial Plan	1.5
2020-05-14	JET	Detailed discussion with REK and RWM re AEO issues, discovery strategy, trial plan, exhibits and witness prep (3.0, no charge)	0.0
2020-05-15	JET	Prepare response on AEO proposal	1.3
2020-06-02	JET	Discussion re DLA withdrawal and discovery with REK (.5, no charge); draft responses to Jowers's Second RFP	3.0
2020-06-03	JET	Complete draft responses to Jowers 2nd RFP; discuss same with REK (.5, no charge); begin trial brief	2.8
2020-06-05	JET	Work on trial plan re EA BOK claim and affirmative defenses; prepare deposition questions for EJ and trial exhibits; discuss same with REK (.5, no charge)	3.4

2020-06-08	JET	Consider/research evergreen clause, equitable relief issue; discuss discovery requests; continue trial plan re BOK claims related to Promissory Note/LA(RLOC) /Security Agreement; discuss with REK usury claims and discovery requests related to affirmative defenses (.5, no charge)	4.4
2020-06-09	JET	Prepare/review discovery requests; continue work on trial plan (esp affirmative defenses)	4.5
2020-06-10	JET	Preparation for authentication of business records by third parties; note to REK re same; review third party productions; prepare draft business certifications for GD, MOFO, DLA, Latham & Cooley; begin drafting depositions on written questions for Kirkland & Skadden; review Jowers Contacts/Candidates; discuss with JF and prepare changes to same	5.8
2020-06-12	JET	Prepare updates to trial plan and placement/firm checklist; update trial plan; review caselaw on number of interrogatories with multiple defendants; discuss response to OC objection to additional Interrogatories and limits on number of depositions; review productions by third party firms.	3.6
2020-06-15	JET	prep for fact witness depositions announced by opp counsel; separate conference with REK re TUTSA, attend REK discussions with OC re Jmt on the pleadings re proper entity/dba (.5, no charge); OC challenge to atty fees if EA reformed by court; additions to EJ depo outline re KR growth strategies; begin draft depo outline for former employee depositions noticed by OC; research re FL criminal law on misappropriation and SOL/SOL tolling statutes; update trial plan	4.9
2020-06-16	JET	Finish draft of depo outline for fact witnesses including TX, FL and federal trade secret claims both civil and criminal; communications with REK re same (.5, no charge); review/consider/briefly research issues in 12c motion from OC re assignments of EAs	3.3
2020-06-17	JET	Prep and participate in t/c with Jowers' counsel re AEO parameters, holes in production, details re scope, timing and process for depositions of MWK Entities and fact witness depositions, supplemental discovery, agreement re service by email, etc. F/u t/c with R Mort re confirmation of objections, proposals and agreements and PO (.5, no charge)	2.6
2020-06-18	JET	Begin drafting outline for MSjmt; t/c with REK and R Mort re trial plan, JOTP, eventual JMOL, trial exhibits, certifications, choice of law, proofs on trade secret claims, discovery requests and responses and depo outlines (.8, no charge)	2.4
2020-07-20	JET	TC with REK re M & C, discovery responses, document production wrt AEO issues (.5, no charge); draft objections and responses to JE RFP and interrogatories; review email correspondence re discovery and M & C; review caselaw re "subject to" objections to discovery requests	3.0



2020-07-21	JET	Review REK changes to discovery responses and comments; revise same; review production of loan damages info; follow up re AEO review and production dispute; communications with REK re same (.5, no charge)	1.3
2020-07-22	JET	Prepare draft MWK Responses and Objections to 2nd Interrogatories and 3rd RFP	3.1
2020-07-23	JET	Revise draft MWK Responses and Objections to 2nd Interrogatories and 3rd RFP; communications with REK re discovery (.3, no charge); review all previous MWK discovery requests and Jowers' objections and responses; map out inter-relations between the various MWK entities and strategy for M & C letter resolving AEO and Jowers blanket designations to respond to discovery	3.5
2020-07-24	JET	Review M & C letters and begin drafting portions of M&C re all recent discovery requests; research re issues involved in same	3.6
2020-07-25	JET	Text and email communications with REK re AEO, M & C, caselaw and discovery deficiencies by Jowers (.6, no charge)	0.0
2020-07-26	JET	Review emails and case law re each party being entitled to separate discovery and subparts closely related constituting a single discovery request	0.4
2020-07-27	JET	Review MWK and RGP's discovery requests and Jowers objections/responses; prepare chart of o/s discovery and objections that will be subject of M & C; draft changes to M & C letter/brief; review and integrate caselaw re multiple party discovery and subparts; extended t/c with REK reviewing discovery deficiencies of Jowers in preparation for M&C (1.0, no charge); follow up notes to REK re same	5.5
2020-07-28	JET	Memo to REK re Rule 31 depositions, document authentication, AEO and depo limits per party; prepare chart outlining MWK entities discovery and Jowers' objections in anticipation of MTC; review beginning of draft M & C letter as rewritten	2.8
2020-07-29	JET	Continue work on M & C letter; communications with REK re same (.5, no charge); notes to REK re Jowers' inconsistent objections; prepare outline for REK for M&C call	1.1
2020-08-03	JET	Review revised Scheduling Order; communications with REK re same and re M & C call (.3, no charge)	0.0
		Total	88.6







# Decl of Jennifer Thompson w Time [DRAFT - 22-10-3]

Final Audit Report

2022-10-03

Created:	2022-10-03
By:	Robert Kinney (robert@kinneyrecruiting.com)
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-  Document created by Robert Kinney (robert@kinneyrecruiting.com)  
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-  Signer jethompson@utsystem.edu entered name at signing as Jennifer Diane Thompson  
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-  Document e-signed by Jennifer Diane Thompson (jethompson@utsystem.edu)  
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